

1 LYNN HUBBARD, III SBN 69773  
2 SCOTTLINN J HUBBARD, IV, SBN 212970  
3 **LAW OFFICES OF LYNN HUBBARD**  
4 12 Williamsburg Lane  
5 Chico, CA. 95926  
6 (530) 895-3252

Attorney for Plaintiff

**OK/HAV**

5 KATHLEEN E. FINNERTY, SBN 157638  
6 MARC B. KOENISBERG, SBN 204265  
7 **LIVINGSTON & MATTESICH LAW CORPORATION**  
8 1201 K Street, Suite 1100  
9 Sacramento, CA 95814  
10 (916) 442-1111

Attorney for Defendants

11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA

13 Ron Wilson,	)	Case No. CIV.S-04-0690 DFL JFM
	)	
14 Plaintiff,	)	<b>STIPULATION AND [PROPOSED]</b>
	)	<b>ORDER MODIFYING THE STATUS</b>
15 v.	)	<b>(PRETRIAL SCHEDULING)</b>
	)	<b>ORDER</b>
16 Norbreck, LLC dba Johnny	)	
17 Carino's, <u>et al.</u> ,	)	
	)	
18 Defendants.	)	
	)	
19	)	
20	)	
21	)	

22 **WHEREAS**, on June 21, 2004, the parties were served with a Status  
23 (Pretrial Scheduling) Order ("Scheduling Order") for this action;

24 **WHEREAS**, the Scheduling Order provided that on or before June 15,  
25 2005, all dispositive motions shall be heard;

1           **WHEREAS**, the Court issued a Minute Order continuing the hearing of  
2 all dispositive motions to June 22, 2005.

3           **WHEREAS**, plaintiff underwent emergency surgery on June 6, 2005  
4 and will be unavailable to confirm or deny the allegations set forth in defendant's  
5 motion for summary judgment.  
6

7           **IT IS HEREBY STIPULATED AND AGREED** by and among the  
8 parties hereto that the Scheduling Order shall be amended to provide as follows:

9           (1) On or before Friday, June 10, 2005 each party shall file and serve  
10 their oppositions, if any, to the parties' respective motions for summary judgment;  
11

12           (2) On or before Friday, June 17, 2005, each party shall file and serve  
13 their reply briefs, if any, to the parties' respective motions for summary judgment;  
14

and

15           (3) The hearing for the motions for summary judgment shall be  
16 continued to Wednesday, July 13, 2005, or at the court's convenience.

17 DATED: June \_\_, 2005   LAW OFFICES OF LYNN HUBBARD  
18

19 \_\_\_\_\_/  
20 Lynn Hubbard, III  
21 Attorney for Plaintiff

22 DATED: June \_\_, 2005   LIVINGSTON & MATTESICH LAW CORPORATION  
23

24 \_\_\_\_\_/  
25 Marc B. Koenigsberg  
26 Attorney for Defendants  
27  
28

**ORDER**

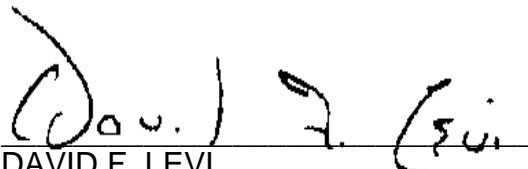
**IT HAVING BEEN STIPULATED BY THE PARTIES AND  
GOOD CAUSE BEING SHOWN, IT IS HEREBY ORDERED** that the  
Scheduling Order shall be amended to provide as follows:

(1) On or before Friday, June 10, 2005 each party shall file and serve  
oppositions to the appropriate motion for summary judgment;

(2) On or before Friday, June 17, 2005, any party shall file and serve  
their reply brief to the respective motion for summary judgment; and

(3) The hearing for the motions for summary judgment shall be continued to  
Wednesday, July 13, 2005.

Dated: June 9, 2005

  
\_\_\_\_\_  
DAVID F. LEVI  
United States District Judge